

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|                       |   |                  |                                       |
|-----------------------|---|------------------|---------------------------------------|
| Applicants:           | Nigel J. Liverton et al.                      |                  | Group Art<br>Unit:<br>1625            |
| Serial No.:           | 10/559,153                                    | Case No.: 21414P |                                       |
| US Nat'l Filing Date: | December 5, 2005                              |                  | Examiner:<br>Nizal S.<br>Chandrukumar |
| Int'l Appl'n No.:     | PCT/US2004/017175                             |                  |                                       |
| Int'l Filing Date:    | 28 May 2004                                   |                  |                                       |
| For:                  | 3-FLUORO-PIPERIDINES AS NMDA/NR2B ANTAGONISTS |                  |                                       |

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

This submission is in response to office action mailed August 22, 2008. Applicants respectfully request reconsideration in view of the following remarks. Any additional fees associated with this Amendment may be charged to Merck Deposit Account No. 13-2755.

Please amend this application as follows:

The Listing of Claims begins at page 2 of this paper.

Remarks/Arguments begin at page 11 of this paper.

EXPRESS MAIL CERTIFICATE  
DATE OF DEPOSIT 9/22/08  
EXPRESS MAIL NO. Em 046763945 US  
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